

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

JOHN J. DIAMONT, JR.,

Defendant.

CRIMINAL NO. 05-10154-MLW

**DEFENDANT'S MOTION TO SEAL HIS REPLY IN SUPPORT OF HIS MOTION
IN LIMINE TO EXCLUDE DISPUTED INVOICES AND DISPUTED CHECKS**

Defendant John Diamont moves, pursuant to Local Rule 7.2, for leave of Court to file under seal Defendant's Reply in Support of His Motion *In Limine* to Exclude Disputed Invoices and Disputed Checks. Diamont believes it is appropriate to file this Reply under seal for all of the same reasons it was appropriate to file his original Memorandum in support of his Motion *In Limine* under seal, as stated in Defendant's Motion to File Documents Under Seal and *Ex Parte* (doc. #69).¹ Diamont has served a copy of his Reply on the government but believes the Reply should be withheld from the public record. As with the original Memorandum, Diamont seeks leave to file the Reply under seal only until the conclusion of any testimony concerning the admissibility of the Disputed Invoices and Disputed Checks.

WHEREFORE, the defendant requests that the Court permit him to file the Reply under seal. The defendant further requests that the Reply be maintained under seal until after all evidence on Defendant's Motion *In Limine* has been presented.

¹ Diamont incorporates herein Defendant's Motion to File Documents Under Seal and *Ex Parte* (doc. #69).

Respectfully submitted,

JOHN DIAMONT

By his attorneys,

/s/ Lauren M. Papenhausen
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Dated: May 19, 2006

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), the undersigned counsel for defendant John Diamont hereby certifies that defense counsel have conferred with counsel for the government and have attempted in good faith to resolve or narrow the issues presented in this Motion. The government objects to this Motion.

/s/ Lauren M. Papenhausen

CERTIFICATE OF SERVICE

I, Lauren M. Papenhausen, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 19, 2006.

/s/ Lauren M. Papenhausen